

Exhibit FFF

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

-----x
SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB, BLERTA
VIKKI, DANIELLE OWIMRIN, SUSAN LEVIN, on behalf
of themselves and others similarly situated,

Plaintiffs,

-against-

SCORES HOLDING COMPANY, INC.; GO WEST
ENTERTAINMENT, INC. a/k/a SCORES WEST SIDE;
SCORES ENTERTAINMENT, INC., a/k/a SCORES EAST
SIDE; ENTERTAINMENT MANAGEMENT SERVICES, INC.;
and EAST 60th STREET, INC. a/k/a SCORES EAST
SIDE,

Defendants.

CIVIL ACTION NO.: 07 Civ. 8718 (RMB)

-----x

200 Park Avenue
New York, New York

April 3, 2008
12:45 p.m.

DEPOSITION of SIRI DIAZ, one of the
Plaintiffs herein, pursuant to Notice, before
Ronald A. Marx, a Notary Public of the State of
New York.

ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 87181

1 A P P E A R A N C E S:

2

3 OUTTEN & GOLDEN LLP

4 Attorneys for Plaintiff

5 3 Park Avenue

6 New York, New York 10016

7 BY: ALLEGRA FISHEL, ESQ., ESQ.

8 PHONE 212.245-1000

9 FAX 212.977.4005

10 E-MAIL afishel@outtengolden.com

11

12

13 GREENBERG TRAURIG, LLP

14 Attorneys for Defendant

15 Met Life Building

16 200 Park Avenue

17 New York, New York 10166

18 BY: ERIC B. SIGDA, ESQ.

19 PHONE 212.801.9386

20 FAX 212.805.9386

21 E-MAIL sigdae@gtlaw.com

22

23

24

25

1 DIAZ

2 management questions about your check?

3 A I asked about -- yes.

4 Q What did you ask about?

5 A There was one time I got a check for
6 a thousand dollars. It was payable to me, and I
7 knew that was incorrect, so I spoke to Spiro
8 about it, and said he would take care of it.

9 Q Was it incorrect or was it correct?

10 A No. It was incorrect.

11 Q Were your credit card tips reflected
12 on your check?

13 A How so?

14 Q Did your check include your credit
15 card tips?

16 A In what was payable to me?

17 Q Yes.

18 A Not until after January.

19 Q How were credit card tips paid to you
20 before January?

21 A We would have to wait and get them in
22 cash.

23 Q How did you receive them in cash?

24 A We'd have to wait, and then they
25 would be given -- they would be given to us by a

1 DIAZ

2 manager, and he would divide it himself. He

3 would take out the portion for the barback, and

4 then divide it in three.

5 Q Was that done at the -- was that done

6 at the end of each night, or was that done in a

7 separate time?

8 A That was done each night.

9 Q Was it done in the same way that the

10 cash tips were divided?

11 A What do you mean?

12 Q Were tips via credit card divided the

13 same way that tips received in cash were

14 divided?

15 A The same formula of dividing it by

16 three, and taking out the money for the

17 barbacks?

18 Q Yes.

19 A Yes.

20 Q And up until January, you would

21 receive the tips paid on credit cards that same

22 night at the end of the night?

23 A Correct.

24 Q Did you have -- did you ever have any

25 other questions to anyone in management about

1 DIAZ

2 your pay check?

3 A When they were starting to put the
4 credit card tips on the credit -- on the pay
5 stubs. For the most part we all did.

6 Q What kind of questions did you have?

7 A I'm never really sure if I asked
8 anyone. So -- I don't really remember the
9 situation. I remember -- well, for -- sometimes
10 I went to see why my check was zero.

11 Q Sometimes you went to see what?

12 A Why my check said zero if I had
13 credit card tips.

14 Q Who did you speak to about that?

15 A I don't remember who I spoke to, but
16 it might have been Tony, and I was told that it
17 was going towards taxes.

18 Q Okay. Do you recall if you asked
19 anybody else any questions about your pay check
20 or pay stub?

21 A No.

22 Q Besides the time that you mentioned
23 earlier in which you received a thousand dollars
24 in your pay check, was there ever a time when
25 you brought to a manager's attention that the

1 DIAZ

2 check was in error, that the check was
3 incorrect?

4 A I may have when they first started
5 doing the credit card tips.

6 Q What do you recall about that?

7 A Well, again, questioning why it was
8 zero when I had -- I had credit card tips.

9 Q Did you ever ask anybody in
10 management or say to somebody in management that
11 they credited you with the wrong hours?

12 A No.

13 Q Did you ever ask anybody in
14 management or say to anybody in management that
15 the amount of the pay check was incorrect?

16 A That's the time that it was a
17 thousand dollars.

18 Q Other than that time.

19 A Again, when I had credit card tip
20 money and they said zero.

21 MR. SIGDA: Let's mark this as

22 Diaz Number 7.

23 (Diaz Exhibit 7, pay stub, was
24 marked for identification, as of this
25 date.)